

1 PHILLIP A. TALBERT
United States Attorney
2 MATHEW W. PILE, WSBN 32245
Associate General Counsel
3 Office of Program Litigation, Office 7
Social Security Administration
4 ERIN A. JURRENS, MO 61402
Special Assistant United States Attorney
5 Office of the General Counsel
6 Social Security Administration
7 6401 Security Boulevard
Baltimore, MD 21235
8 Telephone: (877) 833-2445
E-Mail: Erin.Jurrens@ssa.gov
9 Attorneys for Defendant

10
11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**

13 TAUNYA SMITH,) CIVIL NO. 1:22-cv-01372-SKO
14 Plaintiff,)
15 v.) **ORDER GRANTING STIPULATION**
16 KILOLO KIJAKAZI,) **AND UNOPPOSED MOTION FOR**
Acting Commissioner of Social Security,) **VOLUNTARY REMAND PURSUANT**
17 Defendant.) **TO SENTENCE FOUR OF 42 U.S.C.**
18) **§ 405(g) AND TO ENTRY OF**
19) **JUDGMENT**
(Doc. 14)

20 IT IS STIPULATED by and between Plaintiff ("Plaintiff") and Defendant Kilolo
21 Kijakazi, Acting Commissioner of Social Security ("Defendant"), through their undersigned
22 counsel of record, that the above-entitled action shall be remanded to the Commissioner of
23 Social Security for further administrative proceedings.

24 Upon remand, the Appeals Council will remand the case to an Administrative Law
25 Judge (ALJ) for a new decision, and instruct the ALJ to re-evaluate the evidence of record. The
26 parties further request that the Court direct the Clerk of the Court to enter a final judgment in
27 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.
28

1 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
2 Social Security Act, 42 U.S.C. 405(g).

3
4 Dated: April 26, 2023

/s/ Francesco P. Benavides*

FRANCESCO P. BENAVIDES,
Attorney for Plaintiff

*Authorized via e-mail on April 26, 2023

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE
Associate General Counsel
Social Security Administration

10 By: /s/ Erin A. Jurrens

11 ERIN A. JURRENS
12 Special Assistant U.S. Attorney

13 Attorneys for Defendant

14 **ORDER**

15 Based upon the parties' foregoing Stipulation and Unopposed Motion for Voluntary
16 Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment
17 ("Stipulation to Remand") (Doc. 14), and for cause shown, **IT IS ORDERED** that the above-
18 captioned action is remanded to the Commissioner of Social Security for further proceedings
19 pursuant to the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

20 The Clerk of the Court shall enter a final judgment in favor of Plaintiff, and against
21 Defendant, vacating and reversing the final decision of the Commissioner and thereafter close this
22 case.

23
24 IT IS SO ORDERED.

25 Dated: April 26, 2023

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE